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UNCLAS SECTION 01 OF 07 ACCRA 000437

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DEPT PLEASE PASS TO USAID

E.O. 12958: N/A

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SUBJECT: TRAFFICKING IN PERSONS REPORT - GHANA

REF: STATE 22225

11. (SBU) SUMMARY: The following is AmEmb Accra's response to the tasker requesting information for the second annual Trafficking in Persons Report. In summary, Ghana has problems with both domestic and international human trafficking. The GOG and local NGOs have so far combined efforts to focus on combating domestic trafficking in children and the cultural complacency that allows such trafficking and the resulting child labor to occur. Efforts to combat international trafficking have been hampered by a number of factors: slow action on enacting appropriate legislation criminalizing trafficking, changes in the directorship of the agencies that lead GOG efforts on the issue, and the simple lack of resources common to most developing nations. END SUMMARY

12. (SBU) The following responses are keyed to Ref A.

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Para 16: Overview  
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1A. (U) Ghana is both a country of origin and a destination for internationally trafficked persons. However, internal trafficking is more common than cross-border trafficking. The Government does not have official figures on the number of trafficked persons, either domestic or cross-border, and estimates are difficult to come by and of limited reliability.

1B. (U) Domestically, most trafficking is in children, with northerners more likely to be trafficked than southerners. Boys are sent from the Northern Region to work in the fishing communities in the Volta Region, and girls from the Northern and Eastern Regions to the cities of Accra and Kumasi to work as domestic helpers, porters, and assistants to local traders.

Internationally, the majority of trafficking involves children between the ages of seven and seventeen being shipped to and from the neighboring countries of Cote d'Ivoire, Togo, and Nigeria to work as laborers or household help, or young women who are shipped to Western Europe, mostly to work as prostitutes. Ghana is also a transit country. There is a growing trade in Nigerian women transiting Ghana on their way to Western Europe to work in the sex industry, and there is reportedly some trafficking in persons from Burkina Faso, going through Ghana on their way to Cote d'Ivoire.

1C. (U) Due to a lack of current reliable data, we have not been able to detect any appreciable changes in the direction or extent of trafficking over the past year.

1D. (U) The most detailed studies on child trafficking have been done by the African Center for Human Development (April 2000), and the Ministry of Manpower and Employment in conjunction with the ILO (February 2001). Other local and international organizations, both governmental and non-governmental, have looked at the issue of trafficking in persons, but mostly in the broader context of child labor.

1E. (U) Ghana is not a major destination for international trafficked victims. Those trafficked domestically are used primarily for labor, such as farming, fishing, housekeeping, street vending, and other menial work. They are either not paid at all, or are given very low wages. Because trafficked children are often sent away by families unable to support them, and sometimes in exchange for cash payments, they cannot easily return home despite their maltreatment.

1F. (U) Children from impoverished rural backgrounds are the primary victims of trafficking from Ghana to other countries. Much of the recruitment of children between the ages of eight and fifteen is done with the consent of the parents, who are sometimes given an advance payment or promised regular stipends from the recruiter. The parents are told the children will receive food, shelter, and often some sort of training or education. Some children are sent to work for extended family members in urban areas, who may treat the children relatively well. Many, however, are given to

professional recruiters, who, upon reaching the cities, hand the children off to those who will be their actual employers.

At that point, the children begin their work as housemaids, hawkers, shop assistants, etc. In many cases, the children never receive the education or vocational training the recruiters promised. Young Ghanaian women are also reportedly targeted by international traffickers promising jobs in Western Europe. They are sent directly from Ghana to Europe, mostly Germany, Italy or the Netherlands, or they may be transshipped through neighboring countries. Once at their final destination, they are commonly forced into prostitution. Some young women also end up in the Middle East, where they work in menial jobs or as domestic help.

**1G.** (U) The Ghanaian Government continues to show an increased awareness of the problem of trafficking and the political will to address it. The GOG hosted a Meeting of Experts Against Trafficking In Persons on October 23-24, 2001, which was sponsored by the Economic Community of West African States (ECOWAS) and the United Nations Office for Drug Control and Crime Prevention (UNODCCP). GOG attorneys served as principal drafters and organizers of the conference.

The resulting "ECOWAS Initial Plan of Action to Combat Trafficking in Persons" for 2002-2003, called on member states to ratify international and regional anti-crime conventions, adopt uniform laws against trafficking in persons, implement measures to protect and assist the trafficking victims, sensitize and educate government and law enforcement officials to view trafficking as a crime, and discourage the demand for trafficked persons in their countries. The ECOWAS Plan mandated that states establish an operational National Task Force on Trafficking by June 2002 and begin national awareness campaigns.

Since the ECOWAS conference, the largest area of action has been in prevention through public outreach campaigns. Several high-level GOG officials have responded publicly to implement Ghana's National Plan to Combat Trafficking and raise public awareness on the issue. The Vice President formally launched Ghana's National Task Force on Trafficking in Persons three months ahead of the ECOWAS deadline at an ILO-sponsored conference on child trafficking in Ghana. This conference was attended by a high-level delegation, including five ministers. The Ministry of Justice leads the Task Force, which is made up of representatives from the Ministries of Manpower Development and Employment, Ministry of Women and Children's Affairs, the National Police, Ghana Immigration, and members of Civil Society.

In other examples of public outreach, the Minister of Women and Children's Affairs and some Members of Parliament seized the opportunity presented by commemorative events such as the OAU Day of the African Child (June 16, 2002) and National Children's Day (Aug 21, 2002) to heighten national awareness of trafficking in children. A Supreme Court Justice has been quoted in the press warning of the dangers and penalties for exploiting children. The Justice, who chairs a National Multi-Sectoral Child Protection Committee, was inaugurating a branch of the committee in the Brong-Ahafo Region.

Government and law enforcement officials have participated extensively in public awareness outreach campaigns as well as training programs sponsored by the USG and local/international NGOs. Last Spring, INS Accra and Post RSO recommended a rising Ghana Immigration official to attend an International Visitor Program on Human Trafficking. Several months after the program, that official rose to the top to become the Director of Ghana Immigration. Impressed by the program, she helped organize seminars for immigration officers to sensitize them on the issue of trafficking. Officials from the Ministry of Manpower Development and Employment, Social Welfare Division have been engaged in ILO/IPEC training and awareness projects on combating child labor - the most common form of human trafficking within Ghana. GOG officials have worked side-by-side with NGOs in distributing posters and bumper stickers, presenting theatrical messages in local communities, and encouraging school art and essay competitions. Officials from the Department of Social Welfare attended an ILO/IPEC "train-the-trainers" workshop on child labor monitoring in December 2002.

Second, the GOG has worked closely with NGOs to provide protection - focusing on rescue and rehabilitation of internally trafficked children. ILO/IPEC and the Ministry of Manpower Development and Employment are currently embarking on an initiative to return street children (many of whom are runaway trafficking victims) back to their homes in the north. This Street Children initiative is part of the government's Poverty Reduction Program funded by a loan from the World Bank. Out of the 30 children selected for the project, only 18 appeared for the return trip. Both ILO/IPEC and the Ministry are looking for ways to provide more counseling and education to the children before attempting to repatriate them to their communities. As the Ministry's

Social Welfare Department has limited resources such as children,s homes, vehicles, and counselors, the government is tapping into the (also limited) resources of local NGOs.

The International Organization for Migration, funded through PRM, has begun an initiative to rescue, rehabilitate, and return child trafficking victims who are working in fishing villages in the Brong-Ahafo Region. The programs seeks to encourage fishermen to release the children in exchange for training or equipment that would enable them to fish without the use of children. It is interesting to note that many organizations are seeking to address domestic trafficking outside the formal legal system. The problems listed in the following paragraph may explain this.

Prosecution efforts have been the slowest to materialize. Many government/law enforcement officials and NGOs complain that the lack of specific laws against trafficking impedes prosecution of traffickers (who are prosecuted under other laws, see para 18, A). Last year,s TIP report noted that Ghana,s National Plan involved amending the Ghanaian criminal code to define trafficking in persons as a crime. The Ministry of Justice has explained that the delay in enacting the legislation is due to a decision to draft in-depth stand-alone legislation criminalizing trafficking rather than amending existing laws. The first draft, which among other things would establish specific penalties for trafficking is nearly completed. It is scheduled to soon go to stakeholders for comments, and be submitted to Parliament for action by Fall 2003. (COMMENT: Even if Ghana enacts anti-trafficking legislation soon, actual prosecution of traffickers will likely be slow in coming. The judicial system in Ghana is completely under-resourced, (most courts lack information technology capability, for example), creating an incredible backlog of cases waiting to go to trial. END COMMENT)

**H.** (U) There is no evidence that Government authorities, or individual members of government forces, act to facilitate, condone, are complicit, take bribes, or assist in trafficking operations.

**I.** (U) The Government is limited in addressing the problem of trafficking by both culture and resources. Child trafficking in Ghana is difficult to define. Children from rural communities are commonly sent by their parents to work as housemaids for distant relatives in cities. Given the severe poverty that many rural families face, sending a child to work for well-off relations in the city, with the hope that the child will receive some vocational training or education, is regarded as a genuine attempt to improve that child's opportunities. The idea that sending children to live with extended family under these circumstances is "trafficking" would make no sense to many Ghanaians. Other, more exploitative forms of trafficking, such as cross-border trafficking or situations where the children are recruited by professionals who traffic them for profit, are recognized as problems by the Government, but law enforcement authorities are not equipped with adequate training or financial resources to deal with the problem.

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Para 17: Prevention  
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**A.** (U) With the adoption of the ECOWAS Plan in October 2001, the GOG has openly acknowledged that trafficking is a problem, and with the development of its National Plan, has begun to address the problem on a coordinated and systematic basis (see para 16, G).

**B.** (U) See para 16, G.

**C.** (U) A local NGO, The African Center for Human Development (AFCHD), has taken several full-page newspaper advertisements on their efforts to combat child trafficking within Ghana, and on their new rescue and rehabilitation centers for rescued children. They have held numerous workshops for local leaders, traditional rulers, social workers and law enforcement, as well as radio shows in local languages discussing the consequences of trafficking and child labor. They report an overwhelming response to their efforts. Families and trafficked children are seeking out the assistance of the ACFHD. There are even some local fishermen who have volunteered to return trafficked children who work for them to their families.

The ILO International Program the Elimination of Child Labor (ILO/IPEC) has specific programs to combat trafficking. They also use radio and television programs in local languages to sensitize communities in what they call "recruitment areas." ILO/IPEC is currently working on flyers of information - designed to address the cultural underpinnings of child trafficking - to pass out to communities, local transportation owners and officials, which should be completed by Spring 2003. In addition, they are working with the Ghana National Drama Company to portray a television

drama on trafficking using nationally recognized stars. This film will also be used in sensitization and training programs.

U.S. Embassy in Accra funds several gender-based NGOs through its Democracy and Human Rights Fund. These organizations run empowerment and education workshops on violence against women and children. INL program funds, administered by the local UNDP office in coordination with the Embassy, have funded several NGOs as well as the Women and Juvenile Police Unit (WAJU), focusing on crisis center establishment, counseling, police training and community outreach on abuse of women and children. Although these projects are not specifically targeted at trafficking in persons, they are crucial to tackling the underlying culture that supports crimes against vulnerable populations, such as trafficking in women and children. All of the above efforts have been successful in the sense that real needs are being addressed, so much so that NGOs and local authorities are starting to feel pressure on their resources to adequately deal with rescue, rehabilitation and reintegration of trafficked children to their homes.

**1D.** (U) The Government of Ghana has agreed to pay ten percent of the cost of an ILO/IPEC program called "Combatting Trafficking in Children for Labor Exploitation in West and Central Africa," which includes both training of government and NGO officials in the rehabilitation of trafficked children and a public relations campaign. In addition, the GOG supports programs designed to empower women and children that indirectly help prevent trafficking. Certain components of the Government's National Poverty Reduction Program are designed to alleviate child poverty and improve children's access to education, and the Ministry of Women's Affairs runs programs which serve to educate women on the importance of children's education.

**1E.** (U) The Government does support programs (see above), though scarcity of resources is always a problem.

**1F.** (U) The Government's relationship with NGOs, international organizations, and civil society is constructive.

**1G.** (U) The Director of Ghana Immigration is committed to combating human trafficking and has begun training officers to detect human trafficking. However, the GOG does not have the required resources to adequately monitor and control Ghana's lengthy land borders. The lack of sufficient data to monitor immigration patterns, for example, stems from the lack of communication infrastructure between border posts and their regional offices.

**1H.** (U) See para 16, G.

**1I.** (U) See para 16, G. In addition, the Ministry of Manpower Development and Employment has conducted studies on child labor with the ILO which touch on the problem of trafficking in children.

**1J.** (U) The GOG does have a National Plan to Combat Trafficking as well as a National Task Force made up of the Ministries of Justice, Manpower Development and Employment, and Women and Children's Affairs, the National Police, Ghana Immigration, and members of Civil Society. The Task Force has had a slow start after the initial inauguration, in large part because of changes in directorships in important Ministries such as Manpower Development and Employment. However, most of the same actors are involved in a joint GOG-ILO/IPEC Steering Committee to Combat Trafficking at a lower, more functional level, which helps coordinate trafficking programs nationwide.

**1K.** (U) The Ministry of Justice has the lead on developing the new law against trafficking. The Ministry of Manpower Development and Employment takes the lead on the program level to combating child labor as well as child trafficking.

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Para 18, Investigation and Prosecution of Traffickers  
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**1A.** (U) There is no specific provision in Ghanaian law outlawing trafficking in persons. There are laws against slavery, prostitution, rape (or child rape, termed "defilement"), use of underage labor, manufacture of fraudulent documentation, etc. Traffickers are prosecuted under these statutes. However, the Ministry of Justice is currently finalizing a draft law criminalizing human trafficking that will soon go out to stakeholders for comment. It is estimated the draft legislation will go to Parliament in the Fall 2003.

**1B.** (U) There are currently no specific penalties for trafficking, but penalties for related offenses range from six months to 25 years (see above).

**1C.** (U) In June 1998, Parliament passed comprehensive

legislation to protect women and children's rights. The bill doubled the mandatory sentence for rape, making it punishable by 5 to 25 years in prison. It also banned the practice of ritual servitude, criminalized indecent assault and forced marriage, and raised the punishments for defilement, incest, and prostitution involving children. There is no specific penalty for trafficking in persons, although a specific penalty is envisioned for the trafficking law being drafted.

1D. (U) Traffickers have been prosecuted under statutes listed in para 18, A. Penalties imposed range from several months to many years in prison. Sentences for rape or defilement, for example, are often 10 to 15 years in length. Information on sentencing of traffickers is not kept separately from other data on sentencing for rape, kidnapping, and other offenses for which traffickers can be prosecuted.

1E. (U) Within Ghana, brokers or recruiters procure children from rural areas and move them to the locations where they will work (see para 16, F). These recruiters may move as many as ten children at one time. Internationally, some trafficking groups are reportedly taking advantage of Ghana's growing international air links by moving Nigerian women through Ghana to Europe as a way of avoiding stricter airport controls in Nigeria.

1F. (U) Local law enforcement does not use any special techniques in the detection or investigation of trafficking; however, there are several current cases involving detection of trafficking by police through tip-offs by local residents, and arrests have been made (under the related offenses mentioned above).

1G. (U) The National Plan to Combat Trafficking includes a training component for police and immigration officials. Presently, Ghana Immigration does attempt to identify traffickers and trafficked persons through the detection of fraudulent documentation. In the past year, Ghana Immigration Service (GIS) has been successful in stopping child traffickers in the north of Ghana. INS Accra and Post RSO recommended three candidates from GIS and the National Police to participate in the International Visitors' Program for training in connection with human trafficking. The candidates traveled in the Spring of 2002. This program inspired the GIS official, who shortly after the IVP program rose to Director, to provide seminars to her officers. INS Accra, as well as the immigration services of other Embassies in Ghana, have trained GIS officials in the detection of fake documents such as passports and visas. GIS has been receptive to such training, and has called on INS and Consular officials on many occasions when they have had questions about travelers going to the U.S. who they suspect may be victims of trafficking. Many government officials and law enforcement agencies have attended training sponsored by local and international NGOs in the past year.

1H. (U) See para 16, G, for discussion of GOG cooperation with its neighbors in the ECOWAS sub-region. In addition, Ghana Immigration has been very receptive to training in the detection of fake documents and other techniques to prevent trafficking and various forms of illegal immigration (see above).

1I. (U) We have no examples of the extradition of accused traffickers.

1J. (SBU) There is no evidence of government involvement in or tolerance of international trafficking. However, it is more difficult to assess the Government's position on domestic trafficking. It is commonplace for poor children from rural areas to go to cities to work as domestic help for extended family relations. This is not viewed as "trafficking" and is not illegal in Ghana, but is seen as a way of giving the children improved opportunity.

1K. (U) We are unaware of any Government officials involved in trafficking.

1L. (U) Ghanaian Parliament ratified ILO Convention 182 in May 2001. Ghana ratified the UN Convention on the Rights of the Child in 1989, becoming one of the first countries to do so. The Government passed a Children's Act in 1998, which specifies the rights of children in Ghana and codifies the law in such areas as child custody, health, and education.

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Para 19, Protection and Assistance to Victims  
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1A. (U) Any protection or shelter given to the victims of trafficking, either international or domestic, is done on a case-by-case basis, as resources are limited. In many cases, the authorities do try to reunite trafficked and abused children with their families. NGOs have sought to provide services the police and social services cannot by establishing a few crisis centers. However, as awareness of the problem grows and trafficking victims seek assistance,

the limited resources for providing such assistance becomes more strapped.

1B. (U) See para 17, D.

1C. (U) If they are arrested, the victims of international trafficking are prosecuted on an occasional, case-by-case basis, for offenses such as possession of altered travel documents. In 2000, Ghana Immigration officials detained six PRC nationals with fake U.S. visas who were being trafficked through Accra from Hong Kong to the United States. The PRC nationals were prosecuted for possession of counterfeit documents and sentenced to six months in a local prison.

1D. (SBU) We are unaware of trafficking victims' being encouraged to seek redress against traffickers.

1E. (U) The Government does not provide specific protection for victims of trafficking beyond those available to all crime victims or witnesses.

1F. (U) Aside from Ghana Immigration's internal trafficking seminars, Post is not aware of any other GOG funded training. Much of the specialized training for officials in the past year has been sponsored by NGOs with outside donor funds. The Women and Juvenile Unit (WAJU) of the National Police, using INL funds, is currently working on internal training as well as community outreach initiatives on trafficking and domestic violence issues.

1G. (U) Repatriated victims of trafficking are given assistance on an ad hoc basis. Though the Government has no formal program to provide assistance to victims of trafficking per se, WAJU assists victims of abuse and violence, including trafficking victims. Crisis centers are extremely few. The Department of Social Welfare has a few children's homes and remand homes, but these are generally inappropriate and inadequate to deal with trafficking victims. Many NGOs, working closely with local authorities, are beginning to step in where official resources are lacking to provide safe havens, counseling and transportation back home.

1H. (U) Several NGOs, both local and international, work with trafficking victims. African Centre for Human Development, Save the Children UK, Children in Need, Action Aid, Catholic Action for Street Children, the Gender and Human Rights Documentation Center, Catholic Relief Services, Street Girls Aid, ILO/IPEC and UNICEF all work in the areas of child labor and support for street children. These organizations, as well as the University of Ghana's Center for Social Policy Studies, conduct studies into trafficking as part of their broader agenda, perform some rescue operations for street kids, provide training and education for victims of trafficking and abuse, and in some cases, assist with family reunification.

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Point of Contact  
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PERGL